

No. 2022-1493, -1547

United States Court of Appeals for the Federal Circuit

SISVEL INTERNATIONAL S.A.,
Appellant,

v.

SIERRA WIRELESS, INC.,
TELIT CINTERION DEUTSCHLAND GMBH, f/d/b/a Thales DIS AIS
DEUTSCHLAND GmbH,
Cross-Appellees.

On Appeal from the USPTO Patent Trial and Appeal Board
in *Inter Partes* Review No. IPR2020-01099

APPELLANT SISVEL INTERNATIONAL S.A.'S UNOPPOSED MOTION TO APPEAR REMOTELY FOR OR RESCHEDULE ORAL ARGUMENT

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July 5, 2023

FORM 9. Certificate of Interest

Form 9 (p. 1)
July 2020

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

CERTIFICATE OF INTEREST

Case Number 2022-1493, -1547
Short Case Caption Sisvel International S.A. v. Sierra Wireless, Inc.
Filing Party/Entity Sisvel International S.A.

Instructions: Complete each section of the form. In answering items 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance. **Please enter only one item per box; attach additional pages as needed and check the relevant box.** Counsel must immediately file an amended Certificate of Interest if information changes. Fed. Cir. R. 47.4(b).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 07/05/2023

Signature: /s/ Robert J. Gajarsa

Name: Robert J. Gajarsa

FORM 9. Certificate of Interest

Form 9 (p. 2)
July 2020

Additional pages attached

FORM 9. Certificate of Interest

Form 9 (p. 3)
July 2020

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

None/Not Applicable Additional pages attached

Timothy Devlin Devlin Law Firm LLC	Neil Benchell Devlin Law Firm LLC	Stephanie Berger Devlin Law Firm LLC
Andrew DeMarco Devlin Law Firm LLC		

5. Related Cases. Provide the case titles and numbers of any case known to be pending in this court or any other court or agency that will directly affect or be directly affected by this court's decision in the pending appeal. Do not include the originating case number(s) for this case. Fed. Cir. R. 47.4(a)(5). See also Fed. Cir. R. 47.5(b).

None/Not Applicable Additional pages attached

Sisvel Int'l SA v. Xirgo Techs., No. 19-cv-01145 (D. Del.)	Sisvel Int'l SA v. Verifone Sys., Inc., No. 19-cv-01144 (D. Del.)	Sisvel Int'l SA v. Honeywell Int'l, Inc., No. 19-cv-01143 (D. Del.)

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

None/Not Applicable Additional pages attached

Pursuant to the Court’s Revised Protocols for In-Person Argument (November 15, 2022) (“RPIPA”) and Federal Rule of Appellate Procedure 34(b), Appellant Sisvel International S.A. (“Sisvel”) respectfully moves unopposed to appear remotely for or reschedule the oral argument in these appeals calendared for July 12, 2023, before Panel F for the Court.

Undersigned counsel is scheduled to present oral argument on behalf of Sisvel and was recently diagnosed with a bacterial lung infection that has caused fever, severe cough, and shortness of breath within fourteen days of the calendared argument. Though counsel tested negative for COVID-19 and hopes that the infection will resolve after completing a prescribed combination of antibiotics prior to argument, the RPIPA states that counsel cannot enter the National Courts Building with such symptoms at this time. *See* RPIPA at 1 (“No person may enter the National Courts Building if they ... [h]ave had symptoms consistent with COVID-19 within the previous 14 days, such as a temperature in excess of 100.4 degrees cough, shortness of breath, ...”). As advised by the RPIPA, undersigned counsel also contacted the Clerk’s Office, which informed counsel that it could not advise on whether the Court would also restrict access to someone visibly sick from something other than COVID-19. *Let’s Chat*, <https://cafc.uscourts.gov/home/the-court/clerks-office/>, accessed July 5, 2023. Other counsel representing Sisvel in this appeal are

not able to appear in-person next week to substitute for undersigned counsel in light of preparation requirements, travel, and/or professional conflicts.

Accordingly, Sisvel respectfully moves to allow undersigned counsel to appear remotely for argument on July 12, 2023, or to reschedule oral argument to the last week of July or later to allow undersigned counsel to fully prepare and appear in-person for argument under the 14-day symptomology restrictions in the RPIPA.

Counsel for Cross-Appellants was contacted regarding this motion and stated that there is no opposition, no response will be filed, and that their preference would be to reschedule oral argument to allow undersigned counsel to fully prepare and argue when not ill.

July 5, 2023

Respectfully submitted,

/s/ Robert J. Gajarsa

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CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing motion complies with the relevant type-volume limitations of the Federal Rules of Appellate Procedure and Federal Circuit Rules because it has been prepared in a proportionally spaced typeface in 14-point font and includes 335 words, excluding the parts exempted under those Rules.

/s/ Robert J. Gajarsa _____

Robert J. Gajarsa

Attorney for Appellant
Sisvel International S.A.